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**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:18-cv-02275-ARR-VMS**

Farmers Deli Grocery v. United States of America et al
Assigned to: Judge Allyne R. Ross
Referred to: Magistrate Judge Vera M. Scanlon
Demand: \$100,000
Cause: 05:552 Freedom of Information Act

Date Filed: 04/17/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Farmers Deli Grocery

represented by **William J. Rita**
291 Broadway
Suite 1006
New York, NY 10007
212-766-1001
Fax: 212-608-6802
Email: nycbanklaw@aol.com
ATTORNEY TO BE NOTICED

V.

Defendant

United States of America

Defendant

Sonny Perdue

in his official capacity as Secretary of Agriculture

Date Filed	#	Docket Text
04/17/2018	1	COMPLAINT against All Plaintiffs filing fee \$ 400, receipt number 0207-10363477 Was the Disclosure Statement on Civil Cover Sheet completed -Yes,, filed by Farmers Deli Grocery. (Attachments: # 1 Civil Cover Sheet) (Rita, William) (Entered: 04/17/2018)
04/17/2018	2	Proposed Summons. Re 1 Complaint, by Farmers Deli Grocery (Rita, William) (Entered: 04/17/2018)
04/17/2018		Case assigned to Judge Allyne R. Ross and Magistrate Judge Vera M. Scanlon. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Bowens, Priscilla) (Entered: 04/26/2018)
04/18/2018		NOTICE - the Clerk's Office cannot assign this case without a completed Civil Cover Sheet (MISSING SECOND PAGE). Counsel is directed to forward a completed Civil Cover Sheet, answering all questions in NY-E Division of Business Rule 50.1(d)(2) section on the second page. This document can be found under the event Other Documents - Proposed Summons/Civil Cover Sheet. (Bowens, Priscilla) (Entered: 04/18/2018)

04/25/2018		SECOND NOTICE - the Clerk's Office cannot assign this case without a completed Civil Cover Sheet (MISSING SECOND PAGE). Counsel is directed to forward a completed Civil Cover Sheet, answering all questions in NY-E Division of Business Rule 50.1(d)(2) section on the second page. This document can be found under the event Other Documents - Proposed Summons/Civil Cover Sheet. (Bowens, Priscilla) (Entered: 04/25/2018)
04/26/2018	3	Civil Cover Sheet.. by Farmers Deli Grocery (Rita, William) (Entered: 04/26/2018)
04/26/2018	4	Summons Issued as to All Defendants, U.S. Attorney and U.S. Attorney General (Bowens, Priscilla) (Entered: 04/26/2018)
04/26/2018	5	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Bowens, Priscilla) (Entered: 04/26/2018)
04/26/2018	6	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Bowens, Priscilla) (Entered: 04/26/2018)
11/27/2018		STATUS REPORT ORDER: Plaintiff has failed to file proof of timely service. If Plaintiff does not file proof of service by 12/15/2018 or a satisfactory explanation as to the delay in service, the Court will likely recommend to the District Judge that the action be dismissed for failure to prosecute. Ordered by Magistrate Judge Vera M. Scanlon on 11/27/2018. (Quinlan, Krista) (Entered: 11/27/2018)
04/19/2019	7	SUA SPONTE REPORT AND RECOMMENDATION: For the reasons set forth in the attached Report and Recommendation, it is respectfully recommended that this action be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. C/m to Plaintiff's counsel at: William J. Rita, 291 Broadway, Suite 1006, New York, New York 10007. Ordered by Magistrate Judge Vera M. Scanlon on 4/19/2019. (Tuffaha, Omar) (Entered: 04/19/2019)
05/06/2019		ORDER ADOPTING REPORT AND RECOMMENDATION: I have received the Report and Recommendation dated April 19, 2019, from the Honorable Vera M. Scanlon, United States Magistrate Judge. The deadline for filing objections has passed, and no objections have been filed. Accordingly, I have reviewed the Report and Recommendation for clear error on the face of the record. See Fed. R. Civ. P. 72 advisory committee's note to subdivision (b); <i>Gusler v. City of Long Beach</i> , 823 F. Supp. 2d 98, 109 (E.D.N.Y. 2011), <i>appeal dismissed</i> , 700 F.3d 646 (2d Cir. 2012). Having reviewed the record, I find no clear error, and I therefore adopt the Report and Recommendation per 28 U.S.C. § 636(b)(1). This action is dismissed without prejudice. The Clerk of Court is directed to close the case. Ordered by Judge Allyne R. Ross on 5/6/2019. (Nellis, Andrew) (Entered: 05/06/2019)